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FISCAL IMPACT STATEMENT

LS 7330

BILL NUMBER: HB 1383

NOTE PREPARED: Jan 9, 2013

BILL AMENDED:

SUBJECT: Licensing Polysomnographic Technologists.

FIRST AUTHOR: Rep. Kirchhofer

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: *Licensing of PTs-* The bill establishes licensing requirements to practice polysomnography.

Polysomnography Standards Committee- The bill establishes the Polysomnography Standards Committee (PSC) under the Medical Licensing Board (MLB).

New Class B Misdemeanor- The bill provides that, beginning July 1, 2015, a person must have a license to practice polysomnography or use certain titles. The bill provides that a person who uses certain titles or practices polysomnography without being licensed commits a Class B misdemeanor.

Effective Date: July 1, 2013.

Explanation of State Expenditures: Summary- It is estimated the impact of this provision on the Professional Licensing Agency (PLA) expenditures would be approximately \$2,530 per fiscal year. It is estimated that approximately \$1,860 would be for PSC expenditures and approximately \$670 would be for the PLA to process PT licenses.

Certification of PTs- The PLA would provide the administrative staff for the PSC. PT licensure administration would likely be assigned to the MLB work group. The average annual salary cost per license within this group is \$4.93. Using the \$4.93 average multiplied by 270 potential new licenses would equate to a salary cost of approximately \$1,342 to process the licenses biannually.

Polysomnography Standards Committee- The following table illustrates the estimated annual cost of the proposed board based on two meetings per year. The bill would require the PSC to meet at least once annually.

Expense	Estimated Amount
Per Diem*	\$500
Mileage**	\$880
Mailing and Packet Preparation	\$155
Staffing Cost***	\$225
Printing/Seals	\$100
ANNUAL TOTAL	\$1,860
* Assumes all members are not state employees and would receive per diem. ** Calculated with an average round trip to board meetings of 100 miles. *** Average staff cost for a full-day meeting for the MLB work group work multiplied by two meetings.	

Background Information: PLA Staffing- As of December 3, 2012, there were vacant positions within the MLB work group.

Board Membership- The PSC would have five members. Members would be appointed by the Governor.

Explanation of State Revenues: *Summary:* The PSC would recommend licensure fees to the MLB. The potential revenue increase would depend on the fee set and the number of persons seeking a license. There were an estimated 270 persons in Indiana with a Board of Registered Polysomnographic Technologist (BRPT) certification during 2011. If all 270 were licensed at a biennial fee of \$40, which is the fee charged to an initial genetic counselor license, the revenue generated would be approximately \$10,800 over a two-year period.

Depending on the number of persons that may apply for a license under the bill, fees could be set by the MLB to cover administration and PSC costs. If the biennial fee was set to cover the estimated PSC and salary cost to provided above, the fee would be approximately \$19.

Civil Penalties- Under current law, professional boards have the power to impose civil penalties of not more than \$1,000 per violation on practitioners in violation of the certification law under which they conduct their scope of licensed employment. Revenue from civil penalties assessed on a practitioner is deposited into the state General Fund.

New Class B Misdemeanor- If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class B misdemeanor is \$1,000. However, any additional revenue would likely be small.

Explanation of Local Expenditures: *New Class B Misdemeanor-* A Class B misdemeanor is punishable by up to 180 days in jail.

Explanation of Local Revenues: *New Class B Misdemeanor*- If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected: Professional Licensing Agency; Medical Licensing Board.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Professional Licensing Agency.

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